IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8412 OF 2007

R.B. Hebbali ...Petitioner

v/s

The State of Maharashtra and ors. ...Respondents

Mr P.K. Dhakephalkar i/b Mr M.D. Angal for Petitioner.

Mr A.H. Palekar, AGP for Respondent No.1.

Mr B.D. Joshi for Respondent Nos.2 and 3.

CORAM : D.K. DESHMUKH AND V.M. KANADE JJ.

DATE : 18TH DECEMBER 2007.

P.C. :-

1. The names of respondent Nos.4 to 26 are permitted to be deleted on a motion made by the learned counsel appearing for petitioner. By consent of petitioner and respondent Nos.1 to 3, petition is disposed off in following terms.

2. The order of the State Government dated 22nd September 2005 is set aside.

3. Within a period of four weeks from today, the petitioner shall file his affidavit alongwith all relevant documents in relation to the complaint received with regard to the building permission granted by the Municipal Council in favour of the petitioner. after receiving affidavit from the petitioner, the respondent No.2 - Municipal Council shall pass order thereon in accordance with law in relation to the building permission granted in favour of the petitioner. The order passed thereon shall be communicated to the petitioner. Before making the order, the Municipal council shall also grant an opportunity of being personally heard to the petitioner. the Municipal Council shall be at liberty if so advised to issue

notice about hearing to the persons who had submitted complaints before the Lok Ayukta and grant them also an opportunity of being heard. Petition is disposed off.

. Parties to act on the copy of this order duly authenticated by the Sheristedar / Private Secretary of the Court.

. Certified copy expedited.

(D.K. DESHMUKH J.)

(V.M. KANADE J.)